

DOUGLAS T. SLOAN, City Attorney  
CITY OF FRESNO  
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Attorneys for the CITY OF FRESNO

RE:

**RECORDS REGARDING  
USE OF FORCE AND/OR  
COMPLAINTS DATA**

**RESPONSE TO PUBLIC RECORDS  
ACT REQUEST FOR DOCUMENTS  
(Govt. Code §6250, et seq.)**

The City of Fresno (City) responds to a request pursuant to the California Public Records Act (Govt. Code §6250, et seq.) by Samuel Sinyangwe c/o MuckRock News, regarding **use of force and/or complaints data**, as follows:

**Request No. 1 - The total number of police use of force incidents, broken down by type of force used, between 2013-2017 (separated by year):** The City objects to this request to the extent the City does not currently maintain its records in a manner that would compile the information requested. (*Haynie v. Superior Court* (2001) 26 Cal.4th 1061.) Without waiving this objection, the City's Police Department produces potentially responsive records attached as Exhibit A. You can locate additional potentially responsive records on the City's website at the following link:  
<https://www.fresno.gov/police/records-reports/> (Reportable Response to Resistance Project)

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RESPONSE TO PUBLIC RECORDS ACT REQUEST

1           **Request No. 2 - The total number of people that police used force against, between**  
2 **2013-2017 (separated by year):** The City objects to this request to the extent the City does not  
3 currently maintain its records in a manner that would compile the information requested. (*Haynie v.*  
4 *Superior Court* (2001) 26 Cal.4th 1061.) Without waiving this objection, the City's Police  
5 Department produces potentially responsive records attached as Exhibit A. You can locate  
6 additional potentially responsive records on the City's website at the following link:

7 <https://www.fresno.gov/police/records-reports/> (Reportable Response to Resistance Project)

8           **Request No. 3 - The total number of police use of force complaints reported between**  
9 **2013-2017 (separated by year):** The City objects to this request to the extent the City does not  
10 currently maintain its records in a manner that would compile the information requested. (*Haynie v.*  
11 *Superior Court* (2001) 26 Cal.4th 1061.) Without waiving this objection, the City's Police  
12 Department produces potentially responsive records attached as Exhibit A. You can locate  
13 additional potentially responsive records on the City's website at the following link:

14 <https://www.fresno.gov/police/records-reports/> (Reportable Response to Resistance Project)

15           **Request No. 1 - The total number of police use of force complaints sustained between**  
16 **2013-2017 (separated by year):** The City objects to this request to the extent the City does not  
17 currently maintain its records in a manner that would compile the information requested. (*Haynie v.*  
18 *Superior Court* (2001) 26 Cal.4th 1061.) Without waiving this objection, the City's Police  
19 Department produces potentially responsive records attached as Exhibit A. You can locate  
20 additional potentially responsive records on the City's website at the following link:

21 <https://www.fresno.gov/police/records-reports/> (Reportable Response to Resistance Project)

22           DATED: February 28, 2019.

Respectfully submitted,

DOUGLAS T. SLOAN  
City Attorney

By: 

FRANCINE M. KANNE  
Chief Assistant City Attorney  
Attorneys for CITY OF FRESNO

27 FMK:rm[68108rm/fmk]

**PROOF OF SERVICE**  
CCP §§ 1011, 1013, 1013a, 2015.5  
FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602.

On February 28, 2019, I served the document described as **RESPONSE TO PUBLIC RECORDS ACT REQUEST FOR DOCUMENTS** on the interested parties in this action ☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list: ☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Samuel Sinyangwe  
MuckRock News  
DEPT MR 67990  
411A Highland Ave  
Somerville, MA 02144-2516  
EMAIL: [67990-00005162@requests.muckrock.com](mailto:67990-00005162@requests.muckrock.com)

☐ BY MAIL ☐ I deposited such envelope in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY PERSONAL SERVICE) I caused such envelope to be hand delivered.

☐ (BY FAX) I caused the above-referenced document to be transmitted by fax to the addressee(s) at the fax number(s) shown.

☐ (BY OVERNIGHT COURIER) I caused the above-referenced envelope(s) to be delivered to an overnight courier service for delivery to the addressee(s).

☒ (BY ELECTRONIC MAIL) I caused the above-referenced document to be transmitted by electronic mail (e-mail) to the addressee(s) at the e-mail(s) shown.

Executed on February 28, 2019, at Fresno, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

  
Kimberly Hernandez

RESPONSE TO PUBLIC RECORDS ACT REQUEST